

APPENDIX B:

THE SCENIC RIVERS STEWARDSHIP PROGRAM

One of the primary goals of the South Carolina Scenic Rivers Program is to build and maintain a land ethic or stewardship among river users and riparian landowners – to instill or rekindle a set of values for land management that will result in the protection of river resources. The motivation for stewardship comes from familiarity and respect for the resource. The steward is convinced that his/her actions will benefit him/her, the resource, and future generations. A special program for riparian landowners along state-designated scenic rivers, the Scenic Rivers Stewardship Program consists of two components: education and wise land management.

Education/Landowner Contact

Through the Scenic Rivers Stewardship Program, landowners are provided basic information on their river with emphasis on the relationship between land/water use and the quality (short- and long-term) of the resource. Essential tools for the education/landowner contact component include river-specific slide shows, a fact sheet on the respective land management options, and a list of common sense measures or best management practices (BMPs) to protect river resources. For each state-designated scenic river, program staff develop a slide show that focuses on river-specific information such as outstanding and unique resources, river issues, and management plan recommendations. Each slide show also includes general information on land management options available to riparian landowners through the Scenic Rivers Stewardship Program. Project staff meet with riparian landowners one-on-one or in a small group setting to explain the program and how it could apply to the landowner's parcel(s).

Riparian Land Management

Once the landowner understands the function and values of the river, the next step is to select and implement a riparian land management strategy. This strategy may apply to all or a portion of a river-bordering parcel and/or to any parcel which falls within the river corridor. The width of the river corridor (measuring from the ordinary high water mark or the mean high water line on both sides of the river) is defined according to river classification: 300

to 500 feet for a natural river (Type I), 200 to 500 feet for a scenic river (Type II), and 100 to 500 feet for a recreational river (Type III). The Lynches River is a Type II State Scenic River.

To participate in the stewardship program, the landowner enters a land management agreement with the SC Scenic Rivers Program. The landowner may choose among four land management options: land registration, a memorandum of agreement, a conservation easement, or donation of land.

The Scenic Rivers Stewardship Program was designed to provide a continuum of land management options in terms of timeframe of commitment (one generation versus “in perpetuity”); degree of program involvement in land management (i.e., technical assistance, monitoring, etc.); and legal enforceability. Descriptions of the respective land management options follow:

- A. Land Registration: A landowner may choose to register river-bordering land or land within a defined river corridor in the Scenic Rivers Land Registry. Land registration involves a simple, written agreement between the landowner and the Scenic Rivers Program. See page 58 for an example of the land registration document.

Terms of Land Registration:

- The landowner agrees to manage land in concert with scenic river goals.
- The landowner promises to give notice of any change in land ownership, major change(s) in land use, or known threats to the resource.
- Responsibility for land management rests solely with the landowner.
- Project staff contact the landowner on an annual basis to answer any questions or obtain updates.
- Land registration is a voluntary and non-binding agreement (not legally enforceable).

Benefits to Landowner:

- The land registration agreement provides protection for the river and its resources while preserving the rights of the landowner.



Scenic Rivers Stewardship Program

Land Registration Agreement

The South Carolina Scenic Rivers Program is charged to protect unique and outstanding rivers. Through a cooperative, non-regulatory community planning approach, the program identifies and prioritizes river management needs and strives to protect resources including plant and animal life, wildlife habitat, wetlands, scenic views, geologic formations, recreation areas, and cultural or historic treasures. Riparian land management is an important element of river protection. The activities of each individual landowner can have positive or negative effects on river resources and, thereby, impact aesthetic and scenic qualities, wildlife habitats, and water quality.

As a landowner on the Scenic Lynches River, I recognize and accept the responsibility to be a good steward of my land and the river. To demonstrate my dedication to this purpose, I hereby register my river-bordering property in the South Carolina Scenic Rivers Stewardship Program.

By entering this cooperative, voluntary land management agreement, I will:

- * To the best of my ability, manage my land in such a manner as to protect the natural and scenic qualities of the river corridor;
- * Give notice to the SC Scenic Rivers Program of any change in land ownership or major change in land use;
- * Alert the SC Scenic Rivers Program to any known threats to the river and its resources;
- * Stay informed about the Lynches Scenic River Project; and
- * Try to participate in special events and activities sponsored by the Lynches Scenic River Project.

I understand that this agreement is completely voluntary and non-binding. Responsibility for wise management of my river-bordering land rests solely with me.

Landowner

Date

SC Scenic Rivers Program Manager

Date

- The landowner receives information on the project including invitations to special events and activities.
- The landowner is recognized by the SC Scenic Rivers Program with a certificate signed by the Executive Director of the Department of Natural Resources and Manager of the SC Scenic Rivers Program as well as listing in SC River News.

NOTE: There are no tax benefits associated with land registration due to the temporary and non-binding nature of the agreement. Registration is considered a temporary agreement because land ownership changes over time. In order to receive tax benefits, there must be a commitment to manage the land according to program goals in perpetuity.

- B. Memorandum of Agreement (MOA): A MOA, signed by a landowner and the Scenic Rivers Program, acts as a statement of intent. The MOA outlines recommended best management practices (BMPs) for implementation on river-bordering land. Based on his/her land use objectives, the landowner selects and implements the appropriate land management measures. The landowner may choose to manage for water quality, scenic values, wildlife, or a combination of resource values. Different sections of a parcel may be managed for different purposes. For example, a landowner may choose to manage one area for timber, one area for pasture, and another for wildlife. See pages 60 and 61 for an example of the memorandum of agreement.

Terms of the MOA:

- The MOA outlines land management guidelines and BMPs which are consistent with scenic river classification guidelines and management plan recommendations. The landowner agrees to manage his/her property in accordance with these BMPs.
- To some degree, land management guidelines/BMPs can be tailored for the specific situation/property.
- The landowner promises to give notice of any change in land ownership, major change in land use, or known threats to the resource.

- Responsibility for land management rests solely with the landowner.
- Project staff are available to provide technical guidance.
- Project staff meet with the landowner on an annual basis (may include a site visit).
- The agreement is voluntary and non-binding (not legally enforceable).
- The agreement is not binding on successive landowners.
- The agreement may be terminated with a 30-day written notice from the landowner.

Benefits to Landowner:

- The MOA provides protection for the river and its resources while preserving the rights of the landowner.
- The landowner receives technical guidance on land management from resource professionals.
- The landowner receives information on the project including invitations to special events and activities.
- The landowner is recognized by the SC Scenic Rivers Program with a certificate signed by and the Executive Director of the Department of Natural Resources as well as listing in SC River News.

NOTE: There are no tax benefits due to the temporary nature of the agreement. The memorandum of agreement is considered a temporary agreement because land ownership changes over time. In order to receive tax benefits, there must be a commitment to manage the land according to program goals in perpetuity.

- C. Conservation Easement: A conservation easement is a legally recorded and permanent land management agreement between the landowner and the SC Scenic Rivers Program. Similar to the MOA, the conservation easement is based on management guidelines and recommended best management practices; however, the easement agreement is binding and permanent. The land management guidelines are based on the level of development in the river corridor.



Scenic Rivers Stewardship Program

Memorandum of Agreement

The South Carolina Scenic Rivers Program is charged to protect unique and outstanding rivers. Through a cooperative, non-regulatory community planning approach, the program identifies and prioritizes river management needs and strives to protect resources including plant and animal life, wildlife habitat, wetlands, scenic views, geologic formations, recreation areas, and cultural or historic treasures. Riparian land management is an important element of river protection. The activities of each individual landowner can have positive or negative effects on river resources and, thereby, impact aesthetic and scenic qualities, wildlife habitats, and water quality.

As a landowner on the Scenic Lynches River, I recognize and accept the responsibility to be a good steward of my land and the river. To demonstrate my dedication to this purpose, I hereby register my river-bordering property in the South Carolina Scenic Rivers Stewardship Program.

By entering this cooperative, voluntary land management agreement, I will:

- * To the best of my ability, manage my land in such a manner as to protect the natural and scenic qualities of the river corridor;
- * Follow the land management guidelines and recommended best management practices set forth in this memorandum of agreement;
- * Give notice to the SC Scenic Rivers Program of any change in land ownership or major change in land use;
- * Alert the SC Scenic Rivers Program to any known threats to the river and its resources;
- * Stay informed about the Lynches Scenic River Project;
- * Try to participate in special events and activities sponsored by the Lynches Scenic River Project; and
- * Provide 30 days written notice in the event that I decide to terminate this agreement for any reason.

I understand that this agreement is completely voluntary and non-binding. Responsibility for wise management of my river-bordering land rests solely with me.

Landowner

Date

SC Scenic Rivers Program Manager

Date

(Further details of agreement on back)

DIRECTIONS: Please place an "X" beside all management practices that apply to you and your plans for river resource protection. If applicable, fill in the blanks to specify the width of your scenic buffer or riparian wildlife corridor. Then, using the space provided and additional sheets of paper, if necessary, write a brief explanation to clarify your specific management intentions.

_____ **Water quality**

For the protection of water quality, I will maintain a minimum buffer of 40 feet, and I plan to implement BMPs associated with the following land uses:

- ☐ Timber management
- ☐ Row crop production
- ☐ Livestock production (pasture)
- ☐ Livestock/poultry production (confined animal facilities)
- ☐ Urban/residential development

_____ **Scenic values**

For the protection of scenic values, I will do the following:

- ☐ maintain a scenic buffer of _____ feet in width
- ☐ leave at least 50 feet of the buffer adjacent to the river undisturbed
- ☐ set back new or existing structures and property _____ feet from the riverbank
- ☐ design building exteriors to be complimentary/unobtrusive to scenic river qualities
- ☐ remove signage
- ☐ control access and uses that degrade riverbanks and riparian areas
- ☐ restore degraded areas

_____ **Wildlife**

For the protection of wildlife and wildlife habitat, I will do the following:

- ☐ maintain a riparian habitat corridor of _____ feet in width
- ☐ manage timber in a manner that promotes wildlife habitat and diversity
- ☐ enhance wildlife diversity by maintaining the specified habitat characteristics
- ☐ restore degraded riverbanks and riparian areas
- ☐ conduct reforestation efforts

_____ Different areas of my river-bordering property will be managed for different resource values (see attached map and written description)

Please provide additional terms, explanations, or clarification of this agreement below:



Terms:

- The easement agreement outlines land management guidelines and best management practices which are consistent with scenic river classification guidelines and management plan recommendations. The landowner agrees to manage his/her property in accordance with these guidelines and BMPs.
- The landowner must give notice of any change in land ownership, major change in land use, or known threats to the resource
- Easements can be written to accommodate the wishes and intent of the landowner and can allow the landowner a great deal of flexibility in future use of the property.
- An easement does not preclude any uses of the property that the landowner wishes to keep.
- Ownership is retained by the landowner.
- Responsibility for land management rests solely with the landowner.
- Project staff are available to provide technical guidance.
- Project staff meet with the landowner on an

annual basis. This meeting may include a site visit to monitor the property for compliance with the agreement.

- The agreement is voluntary, but legally binding and enforceable.
- The agreement is permanent and binding on successive landowners.
- A conservation easement can be altered or terminated only with the mutual consent of the SC Scenic Rivers Program and the current landowner.
- The property may be passed on to heir(s), given to family members, or sold.

Benefits to Landowner:

- A conservation easement provides permanent protection for the river and its resources.
- The landowner receives technical guidance on land management from resource professionals.
- The landowner may realize income, property, and/or estate tax benefits.
- The landowner receives information on the project including invitations to special events

and activities.

- The landowner is recognized by the SC Scenic Rivers Program with a certificate signed by the Governor of South Carolina and the Executive Director of the Department of Natural Resources; listing in SC River News; recognition at the annual meeting; and a matted/framed photograph of the river.

D. Donation of Land: The landowner grants title to the land to the SC Scenic Rivers Program.

Terms:

- Land management guidelines are consistent with classification guidelines and management plan recommendations.
- Management responsibility belongs to the SC Scenic Rivers Program.
- If property is not managed for the purpose for which it was donated, the title to the land reverts to the donor.
- Donation of land is voluntary and legally-binding.

Benefits to Landowner:

- The agreement provides permanent protection for the river and its resources.
- A landowner with no heirs can ensure that the land is managed for river protection beyond his/her lifetime.

- The landowner receives information on the project including invitations to special events and activities.
- The landowner may realize income, property, and/or estate tax benefits.
- The landowner is recognized by the SC Scenic Rivers Program with a certificate signed by the Governor of South Carolina and the Executive Director of the Department of Natural Resources; listing in SC River News; recognition at the annual meeting; and a matted/framed photograph of the river.

Implementation Strategy

Each scenic river advisory council will develop a river-specific stewardship plan. For all state-designated scenic rivers, the primary goal is to achieve 100 percent landowner participation through land registration. Landowners will be encouraged to consider other stewardship options which include specific management guidelines and provide for long-term resource protection. The advisory councils will identify areas of special significance for additional protection through memoranda of agreement, conservation easements, and/or donation of land. Priority areas for protection include large, undisturbed tracts; scenic vistas; areas of ecological significance; unique or outstanding habitat; intact riparian buffer areas; special recreation sites; geologic features; and cultural/historic sites.